UNITED STATES DISTRICT COURT WESTERN DISTRICT OF TEXAS AUSTIN DIVISION

January 02, 2025
CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS

1-1---

FILED

		BY: KIV	V
UNITED STATES OF AMERICA	§		DEPUTY
Plaintiff	§		
VS.	§		
v 5.	8		
FRANKLIN BARRETT SECHRIEST	§	CASE NO. 1:22-CR-00053-DAE(1)	
Defendant	§	,	
	§		
and	§		
	§		
TEXAS REGIONAL BANK	§		
Garnishee	8		

GARNISHEE TEXAS REGIONAL BANK'S ORIGINALANSWER

TO THE HONORABLE JUDGE OF SAID COURT:

The Garnishee, TEXAS REGIONAL BANK ("the Bank"), files this Original Answer to the Application for Writ of Garnishment in this cause ("the Writ") served on the Bank, and in answer would respectfully show the following:

- 1. The Writ was served on the Bank December 23, 2024 (hereinafter referred to as the "date of service").
- 2. On the date of service, and subject to any right of setoff it may have, the Bank was in possession of the following effects possibly belonging to FRANKLIN BARRETT SECHRIEST:

Checking Account No. XXXX261 \$6,344.56 available

3. On the date of this answer, the Bank is in possession of the following effects possibly belonging to FRANKLIN BARRETT SECHRIEST:

Checking Account No. XXXX261 \$6,344.56 available

- 4. On the date of service and on the date of this answer, the Bank was not indebted to, nor had any effects belonging to FRANKLIN BARRETT SECHRIEST.
- 5. The Bank denies knowledge of any other persons indebted to, or possessing effects belonging to FRANKLIN BARRETT SECHRIEST.
- 6. Checking account number XXXX261, referenced above is in the name of "FRANKLIN BARRETT SECHRIEST."
- 7. The Bank has engaged an attorney to represent it in this proceeding. The Bank has contracted to pay reasonable attorney fees which to date total \$1,500.00, as well as costs, which the Bank is entitled to recover in accordance with Texas Rule of Civil Procedure 677, as well as an amount to be determined contingent upon an appeal to the Court of Appeals and an appeal to the Supreme Court.

WHEREFORE, the Bank requests:

- a. That all claims to the amounts owed to FRANKLIN BARRETT SECHRIEST, be determined and adjudicated, and that the Bank be discharged from all liability to FRANKLIN BARRETT SECHRIEST;
- b. That the Bank recover its costs and expenses, including reasonable attorney fees, and further awards of reasonable attorney fees in the event appeal is taken; and
 - c. For such other relief to which the Bank may show itself justly entitled.

Respectfully submitted,

WALSH MCGURK CORDOVA NIXON, PLLC

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ATTORNEYS FOR TEXAS REGIONAL BANK

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing instrument was forwarded by certified mail, return receipt requested, to the following counsel of record on this the 2^{nd} day of January, 2025.

Via E-Service

Jaime Esparza United States Attorney

Via E-Service

Steven E. Seward Assistant United States Attorney

Via CMRRR #9589 0710 5270 0173 5442 16

Franklin Barrett Sechriest Reg. No. 74266-509 USP Tucson U.S. Penitentiary P.O. Box 24550 Tucson, AZ 85734

Via CMRRR #9589 0710 5270 0173 5442 23

Financial Litigation Unit ASAO-WDTX Attn: AUSA Steven E. Seward 601 N.W. Loop 410, Suite 600 San Antonio, TX 78216

Michael A. McGurk